

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NO. 1:18-cv-181-MOC-DLH

NANCY SMITH,)
)
Plaintiff,)
)
v.)
)
ALEX AZAR, in his official capacity)
as Secretary of the U.S. Department)
of Health and Human Services,)
)
Defendant.)
_____)

CONSENT MOTION FOR EXTENSION OF TIME TO
FILE DISMISSAL PAPERS

On October 29, 2018, the parties filed a joint motion to stay, explaining that a settlement had been reached in principle, but additional time was needed to finalize and execute the settlement agreement. ECF No. 10. On November 6, 2018, the Court denied the motion to stay, but afforded the parties thirty days within which to file a stipulation of dismissal or other appropriate closing documentation. ECF No. 11. This thirty-day deadline is set to expire on December 6, 2018.

Since the issuance of the Court's November 6, 2018 Order, the parties have worked to finalize the terms of the settlement agreement. On December 3, 2018, the parties fully executed the settlement agreement, and that same day the

undersigned AUSA submitted the required paperwork to request payment of the settlement amount. The Treasury Department still needs to review the settlement documentation and engage in the process of issuing the settlement payment.

Accordingly, the parties hereby request an additional thirty days within which to file a stipulation of dismissal or other appropriate closing documentation, through and including January 7, 2019. Defendant files this motion with Plaintiff's approval and consent.

Respectfully submitted this 5th day of December, 2018.

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s/Jonathan D. Letzring
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CERTIFICATE OF SERVICE

I hereby CERTIFY that on December 5, 2018, I served a copy of the foregoing upon Plaintiff's counsel by electronic service through the Court's CM/ECF email notification system.

s/Jonathan D. Letzring

Jonathan D. Letzring

Assistant United States Attorney